

and Examiner Natalie Davis, Dr. H. Perry Fell, Chief Executive Officer of Seattle Genetics, Inc., assignee of the instant application, and Applicants' representatives, Adriane M. Antler and Muna Abu-Shaar, in connection with the above-referenced application.

During the Interview, Attorney for Applicants, Dr. Adriane M. Antler, discussed the outstanding rejection of claims 1, 2, 5, and 7 under 35 U.S.C. § 102(b) as anticipated by da Costa *et al.*, 2000, Cancer Chemother. Pharmacol. 46 (Suppl.): S33-S36 ("da Costa") and of claims 1-7 as obvious over da Costa and Engert *et al.*, 1999, Seminars in Hematology 36(3):282-289 ("Engert"). In particular, Attorney Antler explained that claims 1-7 are patentably distinct from da Costa, alone or in combination with Engert, on the basis that the present claims are directed to methods of treatment of Hodgkin's Disease by administering an antibody that (i) immunospecifically binds CD30 and (ii) exerts a cytostatic or cytotoxic effect on a Hodgkin's Disease cell line in the absence of cells other than cells of said Hodgkin's Disease cell line, *i.e.*, in the absence of effector cells, whereas the antibodies taught by da Costa require cross-linking of a CD30-expressing Hodgkin's Disease cell with an effector cell, such as a natural killer cell or a T lymphocyte, to exert a cytotoxic effect on the Hodgkin's Disease cell. Supervisory Patent Examiner Anthony Caputa and Examiner Natalie Davis agreed that the present claims are not anticipated by da Costa or rendered obvious by da Costa and Engert.

However, Supervisory Patent Examiner Anthony Caputa requested that Applicants point out where there is support in the specification for the amendment of March 18, 2002 which introduced the language "in the absence of cells other than cells of said Hodgkin's Disease cell line" into claim 1. Applicants noted that the foregoing amendment is supported throughout the specification, in particular at page 4, lines 4-6; page 5, lines 33-36; and in Section 6 at page 50, particularly at lines 20-25.

#### **FURTHER SUPPORT FOR THE AMENDMENT TO CLAIM 1**

In addition to the support in the specification for the claim amendment to claim 1 noted by Attorney Antler in the telephonic interview of September 4, 2002, Applicants further direct the Examiner's attention to page 6, lines 21-31; to page 9, lines 17-18; and to Section 5.3 at pages 23-25 of the specification, which further support the claim recitation that the antibodies are capable of exerting cytotoxic or cytostatic effects on cells of a Hodgkin's Disease cell line in the absence of cells other than cells of the Hodgkin's Disease

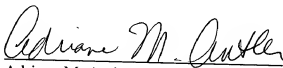
cell line. Applicants further point out that the specification describes a number of cytotoxicity assays for identifying antibodies for use in the claimed invention, none of which assays require the presence of effector cells. Accordingly, Applicants submit that one of skill in the art would conclude that Applicants had possession of the invention claimed in claim 1, as amended by the Amendment of March 18, 2001, at the time of filing the present application.

### **CONCLUSION**

Applicants respectfully request that the above-made remarks be made of record in the file history of the present application. In view of the remarks above, it is submitted that all the claims are in form for allowance. If any issues remain, the Examiner is respectfully requested to telephone the undersigned at (212) 790-2247 to discuss any issues or questions.

Respectfully submitted,

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Enclosure